



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, JULY 19, 2000

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CERTIFICATES OF APPRECIATION

Robert Harrington
Bicycle Advisory Commissioner

CITY COUNCIL REPORT

Council Member Tate

CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #4 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **PRELIMINARY JUNE 2000 FINANCE AND INVESTMENT REPORT 1**
Recommended Action: Accept and file report.
2. **ACCEPTANCE OF THE COMMUNITY PARK BALL FIELD RENOVATION PROJECT 27**
Recommended Action:
 1. **Accept** as Complete the Community Park Ball Field Renovation Project in the Final Amount of \$537,035, and
 2. **Direct** the City Clerk to File the Notice of Completion with the County Recorder's Office.
3. **ACCEPTANCE OF NORDSTROM PARK PROJECT 31**
Recommended Action:
 1. **Accept** as Complete the Nordstrom Park Project in the Final Amount of \$1,028,809 and
 2. **Direct** the City Clerk to File the Notice of Completion with the County Recorder's Office.

4. **AWARD OF CONTRACT FOR CONSTRUCTION OF BUTTERFIELD BOULEVARD PHASE III IMPROVEMENTS** 35
Recommended Action:
1. **Award** Contract to Trincherro Construction Co., Inc. for Construction of Butterfield Boulevard - Phase III Improvements in the Amount of \$1,656,768 and
2. **Authorize** the City Manager to Enter Into An Agreement with the Department of Fish and Game in the Total Amount to Be Set Aside of \$132,000.

OTHER BUSINESS:

5. 20 minutes **PRESENTATION AND PUBLIC INPUT REGARDING PROPOSED NOVEMBER 2000 COUNTY-WIDE BALLOT MEASURE TO EXTEND THE HALF CENT SALES TAX FOR TRANSPORTATION** 37
Recommended Action: **Receive** Updated Presentation from Carl Guardino, Silicon Valley Manufacturing Group; Receive Public Input, Reaffirm or Modify Council's Previous Support for This Proposed Ballot Measure.

PUBLIC HEARINGS:

- | | Time
Estimate | | Page |
|----|------------------|--|------|
| 6. | 30 minutes | <u>APPEAL APPLICATION AP 00-04: E. DUNNE - B.H. PACIFIC (continued from July 12, 2000)</u>
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action - <u>Motion to Adopt</u> Resolution No. 5414 Denying Appeal. | 43 |
| 7. | 30 minutes | <u>ADOPTION OF THE RESOLUTIONS CONFIRMING THE FISCAL YEAR 2000/2001 ANNUAL ASSESSMENT FOR THE FOX HOLLOW/MURPHY SPRINGS ASSESSMENT DISTRICT</u>
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action - <u>Motion to Adopt</u> Resolution No. 5416, Amending And/or Approving the Final Engineer's Annual Levy Report for the Fox Hollow/Murphy Springs Landscape Maintenance District, Fiscal Year 2000/01, and
Action – <u>Motion to Adopt</u> Resolution No. 5417, Ordering the Levy and Collection of Assessments within the Fox Hollow/Murphy Springs Landscape Maintenance District, Fiscal Year 2000/01. | 145 |

OTHER BUSINESS (Continued):

	Time Estimate		Page
8.	60 minutes	<u>REPORT FROM THE MEDICAL SERVICES SUBCOMMITTEE</u>	249
		<u>Recommended Action:</u>	
		1. <u>Receive</u> Report from the Subcommittee; and	
		2. City Council <u>Discussion</u> and <u>Direction</u>	
9.	5 minutes	<u>REVIEW OF POSSIBLE SCHOOL SITE ACQUISITION - NEW HIGH SCHOOL AT TENNANT AVENUE AND MURPHY AVENUE</u>	251
		<u>Recommended Action:</u> <u>Direct</u> Staff to Submit a Report to the School District Board with Planning commission and City Council Recommendations Concerning Acquisition of Property at Tennant Avenue and Murphy Avenue for a New High School.	
10.	15 minutes	<u>CONSIDERATION OF PARKS AND RECREATION COMMISSION RECOMMENDATION TO COMPLETE COMMUNITY PARK MASTER PLAN SUBSEQUENT TO THE PARKS, FACILITIES, AND RECREATION PROGRAMMING MASTER PLAN</u>	261
		<u>Recommended Action:</u> <u>Approve</u> Parks and Recreation Commission Recommendation to Complete Community Park Master Plan Subsequent to the Parks, Facilities, and Recreation Programming Master Plan.	

SECOND READING OF ORDINANCES: Full Reading Waived By Majority Vote.

(Government Code Section 36934)

Action -- Adopt Ordinances by roll call vote.

11.	1 minute	<u>ADOPT ORDINANCE NO. 1480, NEW SERIES</u> (Continued from June 21, 2000)	263
		An Ordinance of the City Council of the City of Morgan Hill Amending Ordinance No. 559 New Series, by Prezoning 4.83 Acres Located on the South Side of E. Dunne Avenue, at 1630 E. Dunne Avenue. The Zoning Amendment Would Prezone the Property from County A1-2.5AC to City R1-7,000 (APN 817-19-043)	
12.	1 minute	<u>ADOPT ORDINANCE NO. 1481, NEW SERIES</u>	269
		An Ordinance of The City Council of The City of Morgan Hill Amending a Development Agreement for Application MP- 96-23: E. Main-Pan Cal and MP 99-02: Calle Siena-Main St. Developers Allowing for a Two-year Extension of the Building Allotments for the Four Custom Lots Within the Project. (APN 726-21-25, 27 & 31)	
13.	1 minute	<u>ADOPT ORDINANCE NO. 1482 NEW SERIES</u>	295
		An Ordinance of the City Council of the City of Morgan Hill Approving the Adoption of Four Individual Development Agreements for the Four Custom Lots Within MP 96-23: E. Main-Pan Cal and MP 99-02: Calle Siena-Main St. Developers. (APN 726-21-25, 27 & 31)	
14.	1 minute	<u>ADOPT ORDINANCE NO. 1483 NEW SERIES</u>	319
		An Ordinance of the City Council of the City of Morgan Hill Amending a Development Agreement to Grant an Exception to the Loss of Building Allotments for the 31 Unit Villa Nova Project. (APN 817-31-53)	

15. 1 minute **ADOPT ORDINANCE NO. 1484 NEW SERIES** 327
An Ordinance of the City of Morgan Hill Enacting Section 12.20.095 (Use of Skate Park Facility) of Chapter 12.20 (City Parks and Recreation Buildings) of Title 12 (Streets, Sidewalks and Public Places) of the Municipal Code of the City of Morgan Hill Regulating Use of the Skate Park Facility, as amended.

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION:

- 1.**
- 10 minutes CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**
- | | |
|------------------------------|--|
| Legal Authority: | Government Code 54956.8 & 54956.9(c) (1potential case) |
| Real Property(ies) involved: | APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property) |
| City Negotiators: | Agency Members; Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel |
| Closed Session Topic: | Potential Litigation |

RECONVENE

CLOSED SESSION ANNOUNCEMENT

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT